IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1534 OF 2004

Dharmavijay Chandru Shedage. ..Appellant.

V/s.

The State of Maharashtra. ..Respondent.

WITH

CRIMINAL APPEAL NO.1547 OF 2004

Raju Vasant Patkar. ..Appellant.

V/s.

The State of Maharashtra. ..Respondent.

WITH

CRIMINAL APPEAL NO.80 OF 2005

Abdul Razak Salim Inamdar @
Faruq Shaikh. ..Appellant.

V/s.

The State of Maharashtra. ..Respondent

Mr.S.V.Marwadi with Ms.Sunita Sharma for appellant in Appeal No.1534 of 2004(org.accused No.1)

Mr.Vikas Kolekar for appellant in Cr.Appeal No.1547 of 2004(org.accused No.2)

Ms. Razia Shaikh for appellant in Cr.Appeal No.80 of 2005(org.accused No.3).

Dr.S.S.Tatkare, APP for State in all the matters.

CORAM: A.M.KHANWILKAR,J

DATE : DECEMBER 22, 2006.

P.C. :

1. For the reasons separately recorded in the Judgment pronounced in open court today, following operative order is passed.

. In the circumstances, the appeals preferred by accused Nos. 1 and 2 are dismissed. The finding of guilt recorded by the trial Court as against Accused Nos.1 and 2 for offences punishable under sections 392 r/w 397 of I.P.Code is upheld. As a consequences, the order of sentence imposed by the lower Court is also upheld being minimum sentence imposed for the offences in question.

. The appeal filed by the accused No.3 being Criminal Appeal No.80 of 2005 however, succeeds. The finding of guilt recorded against the accused No.3 by the trial Court is set aside. Instead, the accused No.3 is acquitted of the charge of having committed the offence punishable under section 392 r/w 397 of I.P.Code by giving benefit of doubt. Accused No.3 be released forthwith, unless

required in connection with some other offence.

. Muddemal be disposed of in accordance with the law.

. All concerned to act on the copy of the operative order passed by this court to be issued duly authenticated by the office.